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Application No. 10/726,040
Attorney Docket No.: LS-004

PATENT

REMARKS

Claims 1 to 20 were pending in the present application.
Claims 1 to 12 and 14 to 29 will be pending upon entry of the present amendment.

Claim 13 will have been canceled.

Claims 1, 4 to 6, 8, 10, 12, 16, and 18 will have been amended herein.

Claims 21 to 29 will have been added herein.

Claims 1, 6, 12, 18, 21 and 25 are independent.

A. ALLOWABLE CLAIMS

Applicant appreciates the Examiner's indication that Claims 10, 13, 16, and 17 would be allowable if written in independent form including all features of the base claim and intervening claims. With regard to Claim 10, Applicant has amended Claim 6 (base claim) to recite the feature of Claim 10 that the Examiner has indicated is patentable in combination with the features of Claim 6. With regard to Claim 13, Applicant has amended Claim 12 (base claim) to include the features of Claim 13. With regard to Claim 16, Applicant has amended Claim 16 to include all the elements of original Claim 12 (base claim). Claim 17 depends from Claim 16.

B. SPECIFICATION AMENDMENT

Applicant has amended the specification to clarify that gas may be supplied to the LED array as specifically recited in Claim 10 as originally filed. No new matter has been added by this amendment. This specification amendment is being made to overcome the Examiner's objection to Claim 10 (see below).

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C. CLAIM OBJECTIONS

Claims 4 to 6, 8, and 10 stand as objected to for various reasons. Claims 4 and 5 have been amended to clarify that the recited features are not merely intended uses but specify functional capabilities for which the claimed therapy device has been structurally adapted to include. Claim 6 has been amended to clarify that the last paragraph is a two element Markush group. Claim 8 has been amended to clarify that reference is being made to the "at least one of a position adjustment mechanism, a camera and a targeting mechanism." Claim 10 is now supported by the specification as amended. Thus, Applicant respectfully requests that the Examiner withdraw the Objections to Claims 4 to 6, 8, and 10.

D. SECTION 112 REJECTIONS

Claims 18 through 20 stand rejected under 35 U.S.C. Section 112, second paragraph. Applicant has amended Claim 18 to overcome the Examiner's Section 112 rejection by providing an antecedent basis for the identified terms. Thus, Applicant respectfully requests withdrawal of the Section 112 rejection of Claims 18 through 20.

E. SECTION 102 AND 103 REJECTIONS

Applicant has amended each of the rejected independent claims to recite features that the Examiner has indicated are patentable with respect to the currently allowable claims. Specifically, Claim 1 as amended recites an imaging system adapted to image the target area (the allowable feature of original Claim 16); Claim 6 as amended recites an LED array disposed within the hyperbaric chamber (the allowable feature of original Claim 10); and Claim 12 as amended includes the features of Claim 13. Thus, Applicant respectfully requests withdrawal of the Section 102 and 103 rejections of Claims 1 to 9, 11, 12, 14, and 15.

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F. NEW CLAIMS

Applicant has added new Claims 21 to 29. Each of the new claims recites a combination of features the Examiner has indicated would be allowable. Thus, Applicant respectfully requests allowance of these additional claims.

G. CONCLUSION

The Applicant believes all of the claims are in condition for allowance, and respectfully request reconsideration and allowance of the same.

The Applicant has indicated the additional amount due regarding this amendment in the enclosed transmittal letter. If any other fees are required, however, please charge Deposit Account No. **04-1696**. The Applicant does not believe a petition for extension of time is required however, if such a petition is required, Applicant respectfully requests that this sentence be regarded as such a petition and that the Commissioner charge Deposit Account No. **04-1696** the requisite petition fee.

The Applicant encourages the Examiner to telephone the Applicants' attorney should any issues remain.

Respectfully Submitted,



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